

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/21/2023

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JEFFREY K. CORLEY,

Petitioner,

-v-

CHRIS COLLINS,

Respondent.
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23-cv-479 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On January 16, 2023, Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2244. Dkt. No. 2. On May 9, 2023, Respondent filed a motion to dismiss the habeas petition without prejudice. Dkt. No. 18. Respondent argues that before a federal court may review any potential habeas claim, the petitioner must first exhaust his potential remedies in state court. *Id.* Respondent further notes that Petitioner is presently litigating his habeas claim in Supreme Court, New York County. *Id.* Respondent finally argues that there is no basis for granting a stay as there is no good cause for Petitioner's failure to exhaust his claim and because his claim is "meritless." *Id.* Petitioner has not yet filed an opposition to the motion to dismiss.

Petitioner is directed to file his opposition to the motion to dismiss, if any, by August 18, 2023. The Clerk of Court is respectfully directed to mail this order to Petitioner.

SO ORDERED.

Dated: July 21, 2023
New York, New York



LEWIS J. LIMAN
United States District Judge